

REMARKS

Claims 1-6 are pending; claims 1 and 5 are amended; claim 2 is cancelled; claim 7 is added, and therefore claims 1 and 3-7 remain for consideration.

The drawings are objected to under 37 C.F.R. § 1.83(a). The Examiner requires that the layer of impermeable material must be shown or the feature canceled from claim 5. Accordingly, a proposed drawing correction to FIG. 1 is submitted with this Response to show the layer of impermeable material. It is therefore respectfully submitted that the objection to the drawings is overcome.

Claim 5 is rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. According to the Examiner, the method of covering the work material with a layer of impermeable material is not supported in the specification. The Examiner believes that it is unclear how, with this layer of impermeable material, the work material is cut. The Examiner further believes it is uncertain when the layer of impermeable material covers the work material.

It is well known by those of ordinary skill in the pertinent art to provide a layer of impermeable material over part or all of the work material to be cut in order to compress the work material and to create a vacuum seal for effectively holding down the work material during a cutting operation. The layer of impermeable material is thin so that it is cut along with the work material disposed underneath the layer of impermeable material. For example, U.S. Pat. No. 4,836,072 directed to a vacuum supply system for a movable cutter states at col. 1, lines 15-22 that:

It is known, for example from U.S. Pat. No. 3,790,154, to provide the cutting table of a sheet material cutter with a vacuum which is applied to the material supporting surface at least in the vicinity of the cutting tool to compact and hold in place the material being cut, the vacuum generally working in cooperation with a sheet of thin plastic or similar air impermeable material spread over the material to be cut.

(See also U.S. Pat. Nos. 5,361,453 and 5,092,829). Because the use of a layer of impermeable material is well known in the pertinent art, it is respectfully submitted that no further elaboration in the specification is required to enable one of ordinary skill in the pertinent art to use a layer of impermeable material during a cutting operation. Accordingly, it is respectfully submitted that the § 112, first paragraph

rejection is improper and should be withdrawn.

Claims 1-6 are rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendments to the claims.

Applicant has addressed the issues raised by the Examiner, thereby obviating the § 112, second paragraph rejection.

Claims 1-4 and 6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. No. 5,089,971 to Gerber (hereinafter "Gerber '971"). Gerber '971 is directed to a method and apparatus for cutting parts from hides from different shapes and sizes. A digitizer and a cutter are provided which make it possible to digitize a hide at one time on the digitizer, and to then cut it at a later time on the cutter with the hide when spread on the supporting surface of the cutter. The hide is given a shape and location exactly corresponding to its shape and location on the supporting surface of the digitizer. Therefore, the digitized representation of each hide may be used to create an efficient cutting marker for the hide. The marker can then be used to cut the hide on the cutter without producing rejects or other cutting errors due to the location and shape of the hide on the supporting surface of the cutter not agreeing with those of the hide on the supporting surface of the digitizer. This arrangement permits keeping a large number of digitized hides in inventory and selecting from this inventory those hides which can be used most efficiently to produce the parts required to fill a given parts request.

Gerber '971, however, does not disclose, teach or suggest a method for scanning and cutting sheet-type work material by providing a cutting head and a scanning head mounted on the same carriage each for movement independently of the other back-and-forth along the carriage in response to commands issued from a controller, as generally recited in amended claim 1. Rather, Gerber '971 is directed to a method and apparatus for cutting parts from hides by employing separate scanning and cutting tables.

For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be disclosed in a single prior art reference used in the claim rejection. Because Gerber '971 does not disclose, teach or suggest a method for scanning and cutting sheet-type work material by providing a cutting head and a scanning head mounted on the same carriage each for movement independently of the other back-and-forth along the carriage in response to commands issued from a

controller, as generally recited in amended claim 1, it cannot be maintained that Gerber '971 anticipates claim 1. Moreover, because claims 3, 4 and 6 each depend from and thereby incorporate the limitations of claim 1, these dependent claims are not anticipated by Gerber '971 for at least the reasons set forth for claim 1.

In view of the foregoing, it is respectfully submitted that claims 1 and 3-7 are in condition for allowance. All issues raised by the Examiner having been addressed, an early action to that effect is earnestly solicited.

No fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

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